

Exhibit “9”

VILLAGE OF POMONA:NEW YORK
BOARD OF TRUSTEES

ORIGINAL

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In Re.

PUBLIC HEARINGS ON:
LOCAL LAW AMENDMENT: DORMITORIES (CONTINUED)
LOCAL LAW AMENDMENT: WETLANDS

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Monday -- 7:30 p.m.
January 22, 2007

Town Hall
Pomona, New York

B E F O R E:

VILLAGE OF POMONA BOARD OF TRUSTEES
PRESENT:

HERBERT MARSHALL, MAYOR
NICK SANDERSON, DEPUTY MAYOR
IAN BANKS, TRUSTEE
ALAN LAMER, TRUSTEE
ALMA ROMAN, TRUSTEE
DORIS ULMAN, VILLAGE ATTORNEY
MICHAEL ZRELAK, BUILDING INSPECTOR
LESLIE SANDERSON, VILLAGE CLERK

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1 right off the bat.

2 FROM THE FLOOR: You know, just quick --

3 MAYOR MARSHALL: You're jumping the line.

4 FROM THE FLOOR: Greg Briem. The frustration
5 that we have is that you knew of the press that had
6 come out, whether it be true or not. You knew that
7 it was out there, and you know we were very, very
8 upset. I think what would have helped us is if at
9 the beginning of this meeting, you had said, this is
10 what is going on, we know that you've read this, we
11 are here to protect your interests, and the
12 amendments to this law, this project, this alleged
13 project, with the alleged attorney who is allegedly
14 sitting here, produces it, that these amendments
15 will defend us. If you had said that in the
16 beginning, I don't think as many people would be as
17 upset as they are, because we don't know where you
18 stand.

19 MAYOR MARSHALL: Ladies and gentlemen, let me
20 say something. We sitting at this table have
21 limitations that are placed on us as to what we can
22 say, and what we can't say, because our attorney
23 tells us what we can say and what we can't say. I
24 can't say what I feel -- I can't -- if I agree with
25 you, I don't agree with you, I don't have that

1 luxury of being able to say that here. All that I
2 can say is that every member of this board works
3 very, very hard to do what is best for this
4 community. You have your issues. Don't assume
5 because no one has gotten up and said, wow, I agree
6 with you, oh boy; don't assume that because we
7 didn't do that that we don't agree. We may or we
8 may not, but please give us the benefit of the
9 doubt. We have all been doing this -- we work very
10 hard at what we do. We try and do what is best for
11 the community, but it's our home.

12 There are limitations under the law that
13 restrict what we can say and when we can say it.

14 FROM THE FLOOR: Marvin Neiman, 14 Deer Run. I
15 have a couple of questions I'd like to get clarified
16 on Miss Ulman's presentation. I believe that you
17 said that by increasing the height to 35 feet you're
18 only doing that to make it comparable to residences
19 within the village. Residences within the village,
20 I believe, have certain restrictions, possibly as
21 far as basement exposure. I am not sure about the
22 use of basements in homes, and also I believe
23 whereas they're allowed to be 35 feet, they're
24 restricted to two stories. I'm sorry. Where
25 they're allowed to be 35 feet, they're restricted to